THE COURTS.

Passing Counterfeit Money-The Ocean National Bank-Verdiet of Damages Against an Omnibus Company-A Family Quarrel-Action for Damages to a Horse.

UNITED STATES COMMISSIONERS' COURT.

Charge of Passing a Counterfeit Stamp.

Before Commissioner Shields.
The United States vs. James Harper.—The dewith passing a counterfeit lifty cent stamp in New Tork, at a liquor saloon. He was very successfully defended by Mr. Edward J. O'Relliy. Mr. Harper was discharged. It appearing from the evidence offered on his behalf that he is a man of good character and had no intention whatever of committing a

The Ocean National Bank. The District Attorney has commenced a suit against the Ocean National Bank to recover a penalty of \$10,000 for making, as alleged, ten consecu-

SUPREME COURT-GENERAL TERM.

The Case of John Thomas, Convicted of Murder.

Before Judges Ingranam and Barnard. John Thomas, Plaintiff in Error, vs. The People, &c., Defendants in Error.-The plaintiff, who is a colored man, it will be remembered was tried on the 28th of last December in the Court of Over and Terminer, before Judge Cardozo, on a charge of the killing of Walter Johnson, also a colored man, found guilty of murder in the first degree and sentenced to be hanged on the 17th of February. On the 13th instant a respite of sentence for three weeks was granted by Governor Hoffman, in order that the same, according to stipulation, came up this morn-

same, according to stipulation, came up this morning for argument.

Ar. Grootet, the plaintiff's lawyer, made the opening argument, and, in doing so, began with a rectal of the facts of the homolede, as published at length in the liferation of the day succeeding the killing and on the trial. He insisted that there was no motive shown for the homolede, and no untrendly feeting existed between the deceased and rhomas. A reversal of the judgment was asked for—first, enthe ground that the Court was in error in rejecting a jutor as incompetent on his stating that he had conselections scrupies against capital punishment, and at the same time conceded that such scrupies would not preclude him from finding a versicit when the penalty was death, if the evidence, under the instructions of the Court, should justiff such verdict; secondly, that the Court error in of quashing the indictment, masmuch that it did not charge murder to have been committed in the language of the statute or as known and coined at common law—that is, of mailce aforediought; that the Court error in refusing to give to the jury a request of the aefendant, taking away an aspect of the case under the evidence, as affecting the degree of manishaghter or homicide in which they should have been allowed to consider as affecting the degree of manishaghter or homicide in which they should have been allowed to consider as affecting the degree of manishaghter or homicide in which they should have been allowed to consider as affecting the degree of manishaghter or homicide in which they should have been allowed to consider as affecting the degree of manishaghter or homicide in which they should have been allowed to consider as affecting the degree of manishaghter or homicide in which they should have been allowed to consider as affecting the degree of manishaghter or homicide in which they should have been allowed to consider as affecting the degree of manishaghter or homicide in which they should have been allowed to consider as affecting the degree of manish insurfained and unwarratted by the evidence.

Air. Garvin, District Attorney, strongly combatted all these points. He urged that it was a clear and unmatakable case of murder, and that the evidence wholly warranted the verdict.

The court reserved its decision.

SUPREME COURT-CHAMBERS.

By Judge Barnard.

The National City Bank vs. Joseph Scheider et al .- Mouon denied.

Charles G. Richter et al. vs. John M. Doubleday et al. - Motion granted. George B. Warner et al. ve. P. N. Smith et al. -

SUPREME COURT-TRIAL TERM. Ferdict of Damages Against an Omnibus Company. Before Judge Brady.

Allen D. Brodie, by his Guardian, vs. Samuel W. Andrews et al.—This was a suit for \$3,000 damages for being run over by a Fifth avenue omnibus in January, 1868, at the corner of Seventeenth street and Fifth avenue. It was claimed that the driver drew up his horses as the boy, thirteen years old, was about to cross the street, and upon this the boy was about to cross over, but that directly after this the driver slackened the reins and looked down into the omnibus hole, and therefore the horses started on again and ran upon the boy. The defence was that there was no negligence on the part of the driver and that the boy was wholly to blame. The jury brought in a verdict of \$1,250 for the plaintiff.

COURT OF CYER AND TERMINER. Business of the Term.

The calendar for the term has only a few cases and those of minor character, remaining on it awaiting disposal. As the Judge has entered upon the trial of a case in Circuit—the late Mrs. Dr. Hogan's will case—which promises to last several days, it is not probable that there will be any further busi-uess transacted in this court this term.

> SUPERIOR COURT-SPECIAL TERM Decisions.

By Judge Freedman. William A. Engerman vs. Ennie P. Engerman .-

Referee's report confirmed and indement of divorce granted.

Behling vs. Chanman .- Motion denied, with ten dollars costs, to abide the event. Asher Bijon vs. ..olomon Roff .- Motion denied,

with ten dollars costs.

Latrida C. H. Dempsey vs. James D. Hall.—Motion granted upon judgment of a trial fee, witnesses fees for February term and ten dollars costs for opposing otion. B. Sunonson vs. Thomas Hargraves.—Order

granted.

John E. Tallman vs. George Wilkes.—Same.
Gabriel Zolinskie vs. John C. Tysie.—Same.
Moses Kugieman vs. Jacob Strouss.—Same.
bra C. Gardner vs. Virginda C. Barke.—The two
suits discontinued by consent on both sides.
S. M. Warburton Gouvernew vs. A. B. Steinberger
et al.—Order overruing demnirer.
Mary E. Jones vs. John R. Jones.—Motion
granted.

Jane F. Haistead vs. David P. Haistead.—See

Opinion.

Henry T. Vanderhof vs. Henry A. Patterson.—
Same. in the Matter of H. E. Tallmadge.—See order.

MALINE COURT.

Action for I juries to a Horse. Before Judge Carter.

John D. Lewis vs. Charles Bulkley .- This action was brought to recover the sum of \$1,000 for alleged injuries to plaintin's horse. It appeared that on the 26th of last September, while plaintiff and detendant were driving on Sixth avenue, both going towards the Central Park, the defendant, in attempting to go by the plaintiff, who was ahead and driv-ing on the right towards the curb, struck the plaintid's nigh horse with the shalt of his wagon, injurtid's nigh horse with the shait of his wagon, injurishing him on the shoulder and also on the him foot, which, as is testified to, reduced the value of the anomal one-half. The animal was proved to be fast, trotting within 2:36, and estimated by experts to have been worth from \$3,000 to \$5,000. The plaintiff, corroborated by ins lady companion, testified that he kept straight ou, going roward the Park, close to the cure, and the defendant, in attempting to pass by, either through neithgence or mailee, drove into his team, indicting the injuries referred to.

The defence set up was that in attempting to pass on the left of the plaintar, the plaintar inclined his leam towards the left, thereby causing a collision. Several wantesses were examined as to the injuries indicted, the value of the animal, her speed, &c., all of whom testified to her great speed as a roadster. Indict Curtis said that he would hold until overruied by an appellate court that the speed of a horse was an element of value. After the evidence was closed the case was adjourned to March 5, to give coursel an opportunity to lurnish the Court with briefs. For plaintiff, Chauncey Shaffer; for defendant, Mr-Cottrell.

MARINE COURT -PART I

A Family Quarrel.

Before Judge Joachimsen.

John Burks vs. Michael O'Connell.-Both the parties were connected with the new county Court House building. The plaintiff states that the defendant, his stepfather, receiving his pay in due bills, which were then seiling at a discount or twenty-five per cent, and wishing to raise some money for his iamily's support without losing this percentage asked him to advance the money on them, which he asked him to advance the money on them, which he did, handling it over to his mother at dependent's request and receiving the die bilis; that he afterwards, when they became due, handed them to defendant to obtain the money on them, and, on asking for it from him, received the rather impolite and indefinite direction—"Go to the seventien devils and get it." The mother sustained the son's statement against her husband, stating that the impury had been expended for their maintenance. Defendant denied having received money or authorizing any such transaction, claiming the money to be his, and complaining that he was driven

ont of doors by his family after they had captured his bank book. Judgment for plaintiff, \$757 72, costs and allow

McRivan vs. Palmer, -Referred. Hurlbert vs. The Lackawanna and Western Rail-Hurbert vs. The Lackmoanna and Western Ruteroad Company.—Referred.

Haffman vs. Hernstien.—Action for goods sold and delivered. Judgment for plaintiff for lifty-three deliars and costs.

Rodus vs. Jordid.—Action for damages for dispossession. Judgment for plaintiff for ten dollars and costs.

Faure vs. Gassaux.—Action on centract. Judgment of plaintiff for sixty-seven dollars.

COURT CALENDARS THIS DAY.

SUPREME COURT-CIRCUIT-Part 1, and Oyer and SUPRÈME COURT—CIRCUIT—Part 1, and Oyer and Terminer—Case on. Part 2—Short causes—Nos. 489½, 1470, 1638, 762, 1044, 1240½, 1400, 1486, 1562, 1636, 1646, 1474½, 686, 904, 1042½, 1100, 1673, 1686, 1690½, 1696, 1752, 1748, 1780, 1842, 1850.
SUPRÈME COURT—SPECIAL TERM—ISSUES law and fact—Nos. 100, 131, 154, 172, 173, 174, 175, 176, 177, 178, 179, 180, 182, 183, 184, 185, 186, 188, 189, 190, 191, 192, 193, 183½, 194.
SUPRÈME COURT—CHAMBERS—Nos. 97, 99, 150, 162. COURT OF COMMON PLEAS—Part 2—Heid by Judge Daly—Nos. 899, 912, 1010, 986, 1081, 1997, 990, 1088, 967, 1075, 1041, 1093, 1059, 1024, 998, 1107, 359, 167, 1075, 1041, 1093, 1059, 1024, 1998, 1107, 359, 167, 1075, 1041, 1093, 1059, 1024, 998, 1107, 353, 34, 75, 74.

Equity causes—Held by Judge Larremore—Nos. 33, 34, 73, 74.

Marine Court—Part 1—Held by Judge Joachimsen.—Nos. 5778, 5781, 5777, 5188, 5194, 5195, 5196, 5196, 5296, 5296, 5298, 5216, 5214, 5216, 5514, 5195, 5196, 5296, 520

BROOKLYN COURTS.

UNITED STATES DISTRICT COURT.

A Cigar Dealer Sent to the Penitentiary.

Alfred Foster was convicted a short time since of having violated the revenue laws by not properly boxing and stamping cigars. The officers seized a boxing and stamping cigars. The officers seized a large number of cigars at the prisoner's store in Atlantic street, but, upon the trial, when his counsel called upon the District Attorney to oppoduce the cigars in court, not one of them could be found. Yesterday afternoon the District Attorney moved sentence in Foster's case, and Judge Benedict thereupon sentenced him to imprisonment in the Kings county Penticulary for six months and to pay a fine of \$200, the prisoner to remain committed until the fine shall be paid.

UNITED STATES COMMISSIONER! COURT. Counterfeit Money.

Before Commissioner Jones. George Erman, of Williamsburg, was before the Commissioner yesterday for having in his possession a counterfeit national bank note the denomination of twenty dollars. bill was given by the prisoner's wife, who had received it from her husband, to a milkman in payment for a bill, and genuine money was returned in change. Erman plead that he himself had come into possession of the bill while ignorant of its character, and the Commissioner therefore released him to give him an opportunity to produce witnesses.

SUPREME COURT-SPECIAL TERM.

Trouble Between Publishers and an Author.

A fred S. Barnes and Others vs. William Swinton Henry Ivison and Others.-The plaintiffs are the publishing firm of A. S. Barnes & Co., in New York Swinton, one of the defendants, is a well known journalist and author, and the other defendants are the publishing firm of Ivison, Blakeman & Co., also New York. Swinton is the author of "A School History of the United States," and the plaintiffs allege that last July they entered into a written agreement with him for the publication of the work, they agreeing to pay him a copyright of ten per cent on the wholesale price of the work on condition of the work being adopted by the State Board of Education of Cainornia. The plainting claim that in consequence of measures taken by them the Board agreed to adopt the work if it should be equal to specimen sheets before them. After the contract had been made, Mr. Swinton, they claim, closed all negotiations with them and entered into a contract with Ivison & Co. for the publication of the work. Plaintiffs therefore brought suit to compel Swinton to deliver his manuscript to them, to enjoin him from entering into further contract for the publication of the work and to enjoin the other defendants from publishing it. ment with him for the publication of the work

from publishing it.
Yesterday the case came up before Judge Gilbert on a demurrer to the complaint, which, as claimed, did not state sufficient grounds for a cause of action. The Court, after argument, overruled the demurrer and allowed defendants to answer within twenty days.

CITY COURT-IN EQUITY.

A Youthful Wife Seeks a Divorce from Her Husband. Before Judge Neilson.

Josephine Oram, by Her Guardian ad Illem, vs. Charles Oram .- The plaintiff in this action sues for a limited divorce on the ground of cruel and inhuman treatment. On the 27th of October, 1867,

human treatment. On the 27th of October, 1867, when she was but sixteen years old, she was married to the defendant by Rev. James Miliet, rector of the Chort of the Holy Marytys. Within a year fellowing the marriage she alleges that her husband began to lit treat and abuse her, and that this ill treatment continued until she was compelled to leave him in september last. The plaintiff's testimony as to the alleged in treatment was corroborated by ner mother and other witnesses.

The defendant did not appear in court, and he alleged in his answer that he treated his wife uniformly kind, but that she constantly refused to perform her domestic duties; and that once only, when aggravated by her continued abuse and profane language, he struck her with his open hand. Several witnesses for the defence testified that he had treated his wife with uniform kindness, and that she used profane language to him and constantly neglected her domestic duties.

The Court reserved decision.

CITY COURT-TRIAL TERM

A New Way to Break Up a School. Before Judge Thompson.

S. H. A. Frisbie vs. Peter Blake.-The defendant's son attended a private school kept by plaintiff in Williamsburg. One day young Blake was thrashed williamsburg. One day young Blake was thrashed by a schoolmate, and the fact becoming known to his father the latter entered the school room and chastised the youth who had flogged his son. The schoolmaster chaimed that his business was injured by this proceeding of the eider Blake to the tune of \$1,000, for which amount he brought this suit. The jury renered a verdet in layor of plaintiff, and as-sessed the damages at \$250.

COURT OF SESSIONS.

Before Judge Troy and Associate Justices.

YOUTHFUL DEPRAVITY.

George Sherman, aged about sixteen years, was tried last November on a charge of burglary and grand larceny. There was a great deal of sympathy or the prisoner on account of his youth and inno

for the prisoner on account of his youth and innocent demeanor and the trial resulted in his acquitta!, Judge Troy and others in the court room made up a puise for young Sherman, who went on his way rejoicing.

One day last month, however, the police caught the youngster again, having found him leaving the store of Solomon Went, la the Eastern district, which he had broken into and roubed. In his possession were found a slungshot, a small saw, a burgiar's Famp, some pawnitesets and other articles. Yesterday ne was tried and convicted and Judge Troy, sensenced him to the Penlientiary for four years, eleven months and twenty-nine days. Young Sherman thanked the Judge, and afterwards conducted himself in such a disorderly manner that the officers had to remove him from the court room. While being taken from the room he waved his cap and in loud tones bade the Judge farewell.

OTHER SENTENCES.

Michael Eaker, Patrick Mannix and James Eagan pleaded guilty to burglary in the third degree. The first two were sentenced to the Penlientiary for three years each and the latter for one year.

John McClure, indicted for larceny from the person, pleaded guilty and was sent up for a year, and George Otto, indicted for petit larceny, was sent to the House of Refuge.

COURT OF APPEALS CALENDAR.

ALBANY, Feb. 23, 1871.
The following is the Court of Appeals day calendar for February 24:—Nos. 165, 135, 167, 169, 174, 176, 177, 179.

ALBANY, Feb. 23, 1871. In the case of James Fisk vs. The Albany and Sus quehanna Railroad Company the Supreme Court has dollars costs. A similar order has been made in the case of George W. Chapman vs. The Delaware, Lackawanna and Western Haliroad Company, without costs.

A BEAD MAN ARRAIGNED.

THE DOG FIGHTERS IN COURT.

The Late Kit Burn-Thirty-four Defendants in One Case-A Lively Time in the Court of General Sessions.

Yesterday morning the Court of General Session was the scene of one of the most extraordinary and sensational trials which has occurred in the city for months ago the officers of the law made a descent on the rat pit of the LATE NOTORIOUS KIT BURN

in Water street, and arrested that gentleman, with thirty-four boon companions, in the act of enjoying the civilizing diversion of rat killing. The officers on this occasion were accompanied by Mr. Henry Bergh, the president of the Society for the Preven-tion of Cruelty to Animals. The police arrested all who were present and brought them before Mr. committed for trial, but were subsequently admitted to bail. Since that occasion Kit Burn has taken

A BETTER SPHERE.

The demise of this remarkable man has been which he belonged. The rat pit is closed, the lively bar is shut up, the bland Kit has become

A "LATE LAMENTED BROTHER,"
and the sporting community of Water street have
grave fears that they "shall never look upon his like again." His death does not seem to have created a similar sensation in other circles; for when the defendants were called yesterday and kit's name was mentioned the Recorder, in a severe tone, asked,

when the Assistant District Attorney, Mr. Algernon S. Sullivan, immediately informed him that poor Kit had killed his last rat.

John Jennings and Michael Dasy were the prisoners who were arraigned by name, and the thirty-two others were arraigned collectively. The former is a perfect type of a low English rudian. Did an artist need

ers who were arraigned by hame, and the thirty-two others were arraigned collectively. The former is a perfect type of a low English ruffian. Did an artist need

A MODEL FOR MR, WILLIAM SYKES

Mr. Jack Jennings would be sure of a lucrative and easy engagement. Mr. Jenningshas a pair of small, twinkling eyes, which under excitement light up fiercely, and, if evidence of the man's pursuits were necessary, would at least amply testify to his love of sport, and that not of the most civilizing kind. But the case of organ of Jack's face is his mouta. His thin lips reach almost from one side of his countenance to the other, and give him such a sinister expression as would immediately suggest to a stranger that, to use a solecism, Mr. Jennings'

"MSENCE WOULD BE GOOD COMPANY."

His companion and fellow marty to the zeal of the Society for the Prevention of Cruelty to Animals, Mr. Mike Dasy, is an excitable old gentleman, whose hairs are already inged with the silver of age. Strange to say, he has rather a mind expression of countenance, and there is nothing about him to indicate his intimate connection with the canine creation except his mouth, which, when immensely tickied by the relation of the means employed by the society to entrap him, he opened and shut spasmodically, in a way not at all

UNLIKE A PUG PUP.

The other thirty-two "sports" did not at first make their appearance in front of the bar; but, judging from the appearance of the crowds in court, there seems to be a wonderful facial resemblance between these "men and brothers." At a later stage in the proceedings the members of the bar were obliged to vacate their seats for the advocates of the NOBLE PASTIME OF DOS PIGHTING

and certainly a more motley crew was never seen within the walls of a court of justice. There were old men who, though their hair had turned white, had not yet lost all interest in brutish pleasures; mere boys, whose lower insincts were being carly developed, and any number of perfect specimens of the Society for the Prevention of Cruelk

Burn?"
"Did you entertain any objections to that gentle-"Are you a member or in any way connected with the Society for the Prevention of Cruelly to

with the Society for the Prevention of Creaty animals?"

"Have you an objection to dog fighting?"

"Have you an objection to dog fighting?"

"He result was that half the jury were excused, an after a good deal of difficulty a jury who had neve REPLECTED ON THE SUBJECT OF DOG PIGHTING

gave rise to the greatest merriment in court. One gentleman, on being asked if he had an objection to dog fighting, answered,

"17 SEND UP ALL THE DOG FIGHTERS"
In the world. Another declared that he knew the "late lamented Kit," and he believed him to be a "secounder of the first water." The Recorder re-

toined, "We are not trying Kit Burn. He is

GONE TO BE TRIED AT ANOTHER TRIBUNAL."

Mr. Sullivan, in opening the case, read the follow-

INVITATION TO THE FANCY. "Jack Jennings will give a great casine exhibition at Kit Burn's new pit, 338 Water street, on Monday evening, November 21, 1870, to commence at eight o'clock. Three hundred rats will be given away, free of charge, for gentlemen to try their dogs with. Three prizes will be awarded on this night:—First, a silver gooliet to the dog that kills the most rats in the shortest time; second and third, consisting of two colars and slips, to those that kill the second and third highest number in the shortest time. Come one, come all! There will be a good night's sport and no humbug. Admission twenty-five cents."

and third highest number in the snertest time. Come one, come all: There will be a good night's sport and no humbug. Admission twenty-five cents."

The principal witness for the prosecution was william Young, an officer of the Society for the Prevention of Cruelty to Animals, who testified that on this night he visited kit Burn's pit, previous to the descent by Captain Allaire with his squad of officers:—He bought a ticket, and saw about twenty-five persons in there: Jack Jennings was in the pit holding a dog and Kit Burn was at the other end with a dog; he let his dog fiy and then the fight began; Young saw no rats killed; Jennings made a remark to the speciators, "if you make a noise the 'cops' (meaning the police) will be down upon us;" the dogs were lighting fifteen minutes before they were separated; Mr. Bergh and the policemen then came in and the parties were arrested and brought to the station house—over thirty persons.

Mr. Bergh, Captain Allaire and other witnesses detailed the particulars of the descent upon the "pit," stating that the dogs were bloody and so tightly clinchen that an officer had to put his club between their jaws.

While the Irial was progressing the enclosure usually allotted to the jury was cleared, and all the defendants who answered to their names were seated there, in order to be identified by the officers who arrested them in the place, Twenty-three of the "spectators" answered, and those who falled to appear had their recognizances forfeited. Mr. Howe, in order to save time, instructed this "folund it will especially be a subject of the camine exhibition to admit that they were in Kit Bern's place on that particular occasion.

The Defence.

The first witness called for the defence was "Jack" Jennings, who said that the gave a rat exhibition in water street; that 175 rats were killed, and over 160 hier rats, which were in a cage, were taken by Mr. Berngh's order and thrown into the river. Jennings account of the affair was, that wille he was waiting in the pit, dog in hand, for

ANOTHER HUDSON RIVER RAILROAD ACCIDENT ANOTHER HUDSON RIVER PAILROAD ACCIDENT INFOSTER.—A woman, who gave her name as Amanda Walters and represented that her hubband was killed in the Hudson River Railroad accident, has been victimizing the people of Lafayette, Ind. She succeeded in getting a few dollars, but was recognized by a citizen as being the same woman who was there last spring, representing that she had just lost her husband by a boiler explosion in Southern Indians.

BROADWAY WIDENING.

Exploded-How the Grand Jury Took Up the Broadway Widening Job and Dis-charged Themselves from Its Farther Con-

of the dailies in this city for the purpose of giving vent to a little sham virtuous indignation against the commissioners appointed to assess the property holders in the widening of Broadway. The article elaborately introduced and rendered attractive by a flaming heading, with prominent catch-words—"the Broadway Job," "the swindie investigated," commissioners "charged with conspirace," "evidence of enormous frauds," &c. The article then proceeds with its charges, alleging that the Grand Jury for the Court of Oyel and Terminer had ordered an investigation to be alleged gigantic conspiracy to defraud the city on the part of the Broadway widening commissioners in the matter by one of their own body, the brother of a disappointed aspirant for the honor of an appointment as one of said commissioners. Disappointments and reverses sometimes bring healing on their wings. In this case it caused a virtuous crupton to break out in the breast of the would-be Commissioner, with winch he arst inocutated his brother, the Grand Juror, hoping through him to reach the hearts and consciences of the other twenty-one Grand Jurors serving at the present term of Gyer and Terminer. The matter of the Broadway widening was introduced by resolution, and the Grand Jury, like good citizens, at once entered upon an investigation into the subject. Among the witnesses examined were Mr. Peter B. Sweeny, Compitolier Connolly, Corporation Counsel O'Gorman, Collector Murphy, George P. Bradford and others, without aftempting to speculate on what took place before the Grand Jury, and which only could be revealed through the foresworn statements of a member of that body, it may be here only necessary to say that at no time during the investigation was there any conference head between Messrs, Sweeny, Connony, Tweed and Judge Garvin; that the Grand Jury were not suddenly discharged from any forther duty without naving completed the investigation; but, on the contrary, it was not till that body (which had taken up the matter of their own volition at the instance merely of one of their own members) had taken all the evidence that could possibly be adduced to substantiate the enarge, and made every enfort to throw light upon the subject, that in the matter by one of their own body, the brother be adduced to substantiate the charge, and made every effort to throw light upon the subject, that they discharged themselves from its further con-

every effort to throw light upon the subject, that they discharged themselves from its further consideration.

The article in the daily referred to, with the usual inconsistency that ever attaches to one-sided and garbled reports, sets out with the statement that the Grand Jury, without any action in the premises on the part of the District Attorney, or "without any warning to the ring," ordered this investigation. In such a case this but just to concline that the Grand Jury were solely actuated by a desire to serve the citizens at large in their capacity of Grand Jurors, and true presentment make in this particular investigation. But they are charged, at the close, with "favoring the ring," &c. This may be true, but the charge comes with a bad grace at the end of an article that started in commendation of their action, especially in concealing their intentions from the "ring,"

The fact is that the Grand Jury were not discharged "from any further duty without having completed their investigation" by Judge Sutherland, on Tuesday last, but discharged yesterday morning, after having completed all their duties, the last of which was a presentment to the court on the late Hudson River Railroad disaster. With regard to the "Broadway widening job" investigation they discharged themselves from its consideration, deciding—with one dissentient only—that the evidence showed no fraud or linent to defraud or complicity with irang on the part of the Commissioners, and that the "conspiracy" charged was a huge hoax, got up in a "hurry," but with malice prepence, very discreditable to the gentlemen with whom it eriginated.

GRAND JURY PRESENTMENTS.

Important Presentment in the Court of Over and Terminer on the Late Railroad Disas-

ter at New Hamburg.
The only business transacted in the Court of Oyer and ferminer yesterday, Judge Sutherland presiding, was the submitting to the Court of two present ments by the Grand Jury.

THE LATE HUDSON RIVER RAILROAD DISASTER. As will be seen from the presentment of the Grand Jury, which we give in full below, this body urges the adoption of such legislation as may be found most expedient and best calculated to prevent the recurrence of such railroad calamities as that which has so lately filled the public mind with dread hor-

The Grand Jury present as follows:law in regard to the running of trains upon the railroads of this State by the recent calamity upon the Hudson River and New York Central Railroad at New Hamburg. The public interests require some additional legislation to prevent the recurwith the travelling public speed in railread travel is the great desideratum, with very little thought of safety. That road is most popular which makes the best and fastest time. It is only when the pubsafety. That road is most popular which makes the best and fastest time. It is only when the public are suddenly confronted by an accidental and serious loss of life that any attention is paid to such legislation as will lessen, if not prevent, it in future. How this can be done is the question. The Norwark disaster, a few years ago, in the State of Connecticut, gave rise to legislation in that State which resulted in an enactment requiring the full stop of all trains running upon the roads of that State before passing on any bridge exceeding a certain length. In view of this legislation and safety to the travelling public resulting therefrom, and the present terrible disaster, the Grand Jury of the Court of Oyer and Terminer of this county recommend that the Legislature now in session enact a law, under severe penalties, requiring every railroad train, whether passenger of freight, to come to a full stop within 200 feet of and before entering upon any bridge having a span of more than 150 feet, fully believing that the enforcement of such a requirement would have prevented the late collision at New Hamburg, and its enactment and enforcement will make it impossible for such another accident to occur.

PRESENTMENT NO. 2.

The jury also made presentment with regard to the various institutions under charge of the Commissioners of Charities and Correction. The management of the Commissions was flighly comment was some changes in the City Prison so as to allow a better classification of the prisoners than at present,

present,
Discharge of the Grand Jury.
This having closed the duties of the Grand Jury for the term, they were discharged from further attendance with a few earnest words of thanks from Judge Sutherland, expressing approval of the zeal and industry they had evinced in the discharge of their duties.

CRUELTIES AT SEA.

The Charge Against Captain Peabody of the Ship Neptune and His Mates.

The further hearing of this case had been set down for hearing yesterday before Commissione John A. Shields, at eleven o'clock; but at that hour Dr. Metcalf attended and stated to the Commis sioner that, owing to the condition of Mies and Alboy—two of the witnesses for the prosecution who were in he-spital—it would not be sale to bring them down. Mies had his hands badly frozen, and lost the nails of two ingers of his felt hand. Alboy has both hands frozen, and his feet are in a wretched state. The doctor said that none of the statements that appeared in the papers about the amputation of the limbs of these men had been given by him to the press; and when he said amputation he meant nothing more than what was understood by surgeons of sloughing from gangrene—a kind of half amputation of the part affected. He did not think, in the present condition of the men, it would be proper to expose them to the cold.

The cemmissioner observed that in that case he would adjourn the examination to Monday.

The doctor said there were two men who would be able to come down and testily.

The Commissioner replied that he would, therefore, fix the case for Saturday. sioner that, owing to the condition of Miles and

The Case of the Ship Old Colony. One of the United States Assistant District Attor-

neys yesterday took the statements of a number of witnesses who will be called to testify in the case of witnesses who will be called to testify in the case of the United States vs. Captain Grindle, of the ship old Colony, who is charged with having, while on a veyage from Cadiz to New York, in the month of October last, ill treated two of his crew, Ramon Rau and Franco Frank. It is expected that the trial will take place on Monday next, in the Circuit Court, before Judge Woodruff. Most, if not all, of the witnesses are detained in prison. The captain is out on ball.

A MINISTER KU KLUXED FOR PREACHING IN COLORED PEOPLES' CHURCHES.—We have received a letter from a prominent and reliable gentleman hiving at wetninka, stating that about three weeks ago Rev. J. W. Dorman, a minister of the Northern Methodist church, was severely whilpped in the northeast part of Elmore county by a party of eight men. The names of the men are as follows:—Warren Williams, Isaac Williams, Perry Howie, George Howie, Yancey Nickeis, G. M. Howie, Benjamin Howie and Alexander Weldon. It seems that Mr. Dorman had offended these gentry by praching in the colored churches in that section. We are glad to learn that Governor Lindsay has taken steps to secure these men. It can be easily done if the officers are 'u earnest,—Montgomery (Ata.) Journal, Jeb. 12

TEMPERANCE.

"Touch Not, Taste Not, Handle

A New Moral and Religious Temperance Movement in Massachusetts.

"There Will Be No More Sorrow There."

The temperance reformers of Massachusetts do not despair of bringing about an era of total abstinence, even in spite of the failure of all legislative enactments looking to the prohibition of liquors as a beverage. They have gone in this time on the religious and moral suasion principle, and a movement on this basis has been inaugurated here to-day in the shape of the organization of a new temperance society. Tremont Temple, the scene of all radical gatherings in this part of the country, was where the moral philanthropists assembled, and there were not less than fifteen hundred present. PERSONNEL OF THE CONVENTION.

The Convention was composed of the same old personages, male and female, who are always seen in anti-slavery, woman suffrage and other "proin anti-slavery, woman suffrage and other "progressive" assemblages of the "advanced." Certainly a larger number of wigs, "scratches," "fronts," and soft of the statement of th and sets of false teeth have rarely been collected together. Otls Clapp, one of the founders of the Washingtonian Home, was conspicuous on the platform, and beside the chairman was J. W. Usher, the best "made up" man in the hall, even his voice being a falsetto. When he speaks his words strike against his false teeth and then carom into the air with a curious grating sound that makes the listener nervous. Stephen S. Foster, of Worcester, the war horse and ancien terrible of the anti-slavery movement, was in one of the front seats, with his wife, the irrepressible Abby Kelly Foster, and both were up and exciaiming "Mr. Cheerman" on every conceivable occasion. What made the exhibition more strange were the generally diametrically opposite views which they expounded with the utmost vigor. Once Poster and a gentleman named Davis, in the gallery, had an animated contest for the floor; but after each had shouted at the chair a dozen times or so Mr. Toney recognized some one else, and the champion and the unknown sansided for the nonce. RESURRECTED POLITICIANS.

RESURRECTED POLITICIANS.

Pernaps the most noticeable characteristic of the Convention was the large number of dead and buried politicians it called forth. A more "respectable" assemblage than that guthered on the platform never was sees. William B. Spooner, the expression of the State Temperance Athance, but now at sword's point with its members, and one of the originators of this Convention, sat on the extreme right of the platform. Occasionally he would advance to the iront, look plactily at the audience, through his guasses, make some thandible remarks, seemingly of a pacificatory nature, and then retire, sit down and beam philanthropically on his neighbors. Mr. Spooner acted the part of the Genius of Peace in the Convention, the stormy latter days of his connection with the Temperance Alhance having probably made him dread cold water polemics.

The Rev. John T. Sargent, the president of the Anti-Slavery Society, was a silent attendant of the meeting. Strange to say his indefatigable and spirituette consort was absent. P. Emory Aldrich, of Worcester, who used to lead the prohibitionists in the House; Mr. George E. Towne, of Fitchburg; the venerable Deacon Farnsworth, of the Park street church; the Rev. William B. Wright, of the Berkley street (Congregational) church, and a few other ministers helped to filit up the platform. On the ladies of the Convention but little can be said. They, for the most part, were neither young nor handsome, and, with the exception of the ubiquitous Aboy Kelly Foster, had little or nothing to say. Their costumes were characterized by the presence of fronts and waterproofs and the absence of anything becomings.

The giant form of Mr. Usher, with the voice aiready described, called the body to order, and, when silence was secured, he went on to say:—In obedience to thi call we are here this morning to manufactory, for the firsteriance of the great interests of temperance. We rejoice that we stand so far to-day in advance of former days. When we cast our minds back twenty-five, thi Pernaps the most noticeable characteristic of the

althfully and earnestly to promote this great cause We look back to the formation of the old Massacht setts Temperance Society, and whose history has been a noble one; to the organization of the State Temperance Alliance, whose work has been efficient and worthy; to the Sons of Temperance; to the Good Templars; to the Femple of Honor and to the Good

remplars; to the femple of Honor, and to the various similar and more local institutions that have untirled their banners, and have done, and we hope still are doing, and will continue to do buttle for this great and noble cause. While all these things have been brought to been against use liquor drinking of the control of the institution of a state society which shall act exclusively upon the moral and the religious feelings, oneleving that the moral forces of the people must carry forward every good work, and that the power of Christiah truth must fouch and warm the hearts before we have thorough conversion. We shall this day, it trust, organizations in this great and plumeet with all other organizations in this great and plumeet with all other organizations in this great and plumeet with all other organizations in this great and plumeet with all other organizations in this great and plumeet with all other organizations in this great and plumeet with all other organizations in this great and plumeet with all other organizations in this great and plumeet with all other organizations in this great and plumeet with all other organizations in this great and plumeet with all other organizations in this great and plumeet with all other organizations. A work of the following the plume of the plume organization of the following the plume of the plume organization of the following the plume organization of the plume organization of the plume organization of the plume organization of t

frmiy intrenched under the assumed sanction and protection of constitutional law? To these same potent agencies must one look to educate the consistence of the people, and especially of the growth of the country to such a sense of moral obligation and of noble purpose, as shall lead them "to become a law unto themselves." It is evident that in the work of creating a true public sentiment on this subject reliance must be made especially on the teaching of the Church and the subsath school, and to these the people have a right to look hopefully. The appeal must be made on the ground of a high moral expediency, which in this, as also in other connections, often becomes a geaeral principle of action. Let Christians be arged to accept the entire creed and example of the Apostle Paul, and not a part of it only. If any reply that they do not feel called upon to make a sacrifice for the sake of their weaker brother, it may be kindly suggested that if it be a sacrifice this should be regarded as an admonition that even their own personal safety demands abstinence from wine as a beverage. If, on the other hand, any shall say that it is no sacrifice for them to abandon the use of wine, but that they perfer their libert, the question at once suggests itself, on what principles of Christian benevolence can one refuse to abandon a habit when it costs no sacrifice, and winch, if adhered to, must unavoidably cause one's example to sustain and give sanction to a custom which confessedly is not only the contingent ann often the immediate and responsible cause of misery and crime, but the source of soul-destroying influences, 'The first that such are the sad consequences of intemperance, always preceded by moderate drinking, all will admit, however, they may differ as to means by which its existence may be prevented. If professing Christians cannot be personaded to abstain from the use of intextencing the material tendencies of the age, and of clevating our beloved commonweal with a series of the people, a portion of whom do not irmly intrenched under the assend protection of constitutional

Foremost in the war against treason, may she ever be found foremost in every cause which seeks to improve the condition of the masses of the people. (Applause.)

THE RADICAL PROHIBITIONISTS SNUBBED.

"At about this time," as the aimaniaes say, the radical prohibitionists—those who believe in a rigid law and its rigid enforcement—attempted to take a hand in the proceedings. Mr. Spooner, of this new movement, said there were to be so many speakers that it would be well to conline them to ten minutes each, and he made a molou to this effect. The prohibitionists, headed by Parson Berry, of Lynn, Ricked against it, but he and his followers were voted down, and the moral snasionists afterwards had things pretty much their own way.

THE TLATFORM OF THE NEW ORGANIZATION,
A committee appointed for the purpose submitted the following preamble and resolutions:—

Whereas intemperance is still very prevalent, especially in the large towns and cities of the State, and its evils are most deplorable and destructive of the happiness and well-being of the community, a special Ciristina effort in needed to bring the attention of the people to the subject. Furthermore, believing that this mest constitute our first reliance in all effective temperance work, it is, therefore, recommended that a new State temperance society be formed, whose work shall be of an exclusively moral and religious character; whose agencies shall be the pupil, the press, the lecture room; the formation of auxiliary societies, cold water armies; the signing of the obedge and all such agencies for the purpose of spreading the principles of total abstinence from all intoxicating drinks as a beverage. In confining the society to moral and religious agencies, however, it is not intended to oppose in any way legal or other means of promoting, the cause; but believing the cities and his to form a new State Society, in whose action all friends of the cause can harmonize, while all members of the society are left free to act outside the considered of judgment shall

temperance.

Resolved, That believing to the moral force of the pledge to restrain, and in the statizing power of Christian truth to recomm, we pledge ourselves to labor to convert the people to total abstinence.

we bid God speed to every sincere effort and to every organization that seeks with an earnest purpose to advance the cause.

Resolved, That we will take prompt and efficient measures for the organization in this Commonwealth of associations connected with the State Society, whose aim shall be, as far as possible, to effer the pietige to every man, woman and onlid in the State.

Resolved, That recognizing the paramount importance of the education of the young in the principles and practice of total abstinence as one of the most efficient means for securing the future success of the cause we invite pastors. Sabbath school superintendents, teachers and parents, by their example and by means of the pulpit, the school, the press, the formation of juvenile temperance societies, cold water armies and the circulation of the pledge among the children and youth to seek the accomplishment of this desirable end Resolved, That as the example of nublic men has great power for good or evil we invite all to abstain from the use of intoxicating liquors as a beverage, whether in the family, the social circle or the public assembly, as among the best means of blessing the community.

Resolved, That we tender our most cordial thanks to the secular and religious press or the State for the good words spoken in also of this convention and carnessty invite them to co-operate with us in efforts to advance the objects of this society.

A brief address by Mr. Einery followed the intro-

co-operate with us in efforts to advance the objects of this society.

A brief address by Mr. Emery followed the introduction of the resolutions (which, by the way, were subsequently adopted), and then the committee upon the preparation of a constitution were ready to make a report. They offered a long preamble and series of articles, setting forth that the exigencies of the time required the formation of a society for the furtherance of reform by moral and religious influences, at the same time lending all the aid possible to those organizations which are actively at work in the procurement of legal enactments for the abolition of the traffic in intoxicating liquors. The report recommended the association, together of all the sympathizers with the cause, under the name of

Inton of the traile in intexticating liquors. The report recommended the association, together of all the sympathizers with the cause, under the name of the Sympathizers with the cause, under the name of the Sympathizers with the cause, under the name of the Sympathizers with the cause, under the name of the Massachusetts rotal Abstinence Society." Any body can participate in the honelis of yearly membership by the payment of one dollar, and of hie membership by the payment of twenty dollars, and after signing the following pledge:—

The members of this society pledge to each other that they will abstate from the use, as a beverage, of all intodesting liquors, including mait liquors, wine and cider; that they will not anunfacture or transic in them to be thus used; that they will all discountenance such manufacture and use by others, and that they will make direct and persevering efforts to extend the principles and blessings of total abstinence.

A very spicy and somewhat entertaining discussion ensued on the proposition to insert the words "mal. liquor, wine and cider" in the pledge. Several members of the convention claimed that the phrase "intoxicating liquors" included the drinks mentioned, while others instinated that the pledge was so worded as to suit the peculiar ideas of the gentlemen on the platform. "There's no cat under the meal here," shouted Mr. Berry, of Lynn, "and if you want to find one you'd better look upon the platform."

This remark was received with long-continued Applaince, and was the prejude to a general row.

If you want to find one you'd better look upon the platform."

This remark was received with long-continued applause, and was the prefude to a general row. Mr. Usher, of Boston, thought that as the Convention had already stated that two and two made four it was a mere waste of time to assert that three and one were equivalent to the same amount; and his ideas were supported by a long-nosed clergyman from New Bedford and the Hon. P. Amory Aldrich, of Worcester. The ameadment, however, was afterwards adopted.

At this juncture, Governor Clafin appeared before the Convention for the purpose, as he stated, of giving his countenance to the movement without making a speech. His advent was greeted with appliause, and he bowed his thanks as he retired from the hail.

plause, and he bowed his thanks as he retired from the hall.

It was now supposed that there could be no more fault to find with the wording of the constitution; but it seemed that it did not quite suit the association as yet. There was a clerical agitator, who wished the convention to commit itself to the support of legal action definitely and without reserve; and there were others who desired the adoption of verbal amendments. Finally, nowever, the constitution and pledge were adopted.

Hon. Aaron A. Powell next made a stirring address, favoring the substitution of water for wine in the communion service, and the Finance Committee reported collections amounting in the aggregate to \$600. A board of officers, with William B. Spooner as president, and some fifty vice presidents, headed by the name of Governor Claffin, and including, among others, the names of Mrs. Mary A. Livermore and Lucy Stone, was elected by the convention. After which Stephen S. Traske made the closing address. He did not find a word of fault, but made one of the most vigorous speeches of the day, sandwohing his forcible reasoning with characteristic anecdotes.

When he had finished resolutions of thanks to the

word of the day, sandwiching his forcible reason-ing with characteristic anecdotes.

When he had finished resolutions of thanks to the presiding officer were passed, and this convention then wound up by singing the following stanzas, to the air of "Old Hundred:"— Come, friends of temperance, ere we part Join every voice and every heart; One solemn hymn to God we raise— One final sonz of grateful praise.

Together we may meet no more, But there is yet a happier shore, and there, released from toli and pain, May we forever meet again.

BROOKLYN BENEVOLENCE. Aid of the Friendless Women and Chil-

dren in Brooklyn.
There is a society in Brooklyn for the aid of the would appear that the fact has not come to the would appear that the fact has not come to the knowledge of the philanthropic pertion of the community, or the ladies of the society would not now be compelled to make an appeal to the benev clence of the public in promotion of the charity. The society has already been the means of a great deal of good, providing food for those who were hungry and homes for those who were hungry and homes for those who were honeless. Their only source of income has been the spontaneous bounty of a few generous citizens. The society feel the want of more enlarged accommodations. To locate it in a central position and make it a permanent institution is now the prime object.

The committee having the management of the late charity ball in Brooklyn have just figured up their expenses and receipts. The receipts were \$5,298 and the expenses \$3,271, leaving a balance for the charity of \$2,017, which is considered very well for Brooklyn. The committee are satisfied.